NATIONAL MARINE FISHERIES SERVICE POLICY DIRECTIVE 37-102 ***AUGUST 17, 1999***
Staffing and Organization
DIRECTED REASSIGNMENT
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SUMMARY OF REVISIONS:

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, Maryland 20910

AUG 17 1999

MEMORANDUM FOR: Regional Administrators
Science Directors
Office Directors
Staff Office Directors

FROM: Andrew A. Rosenberg, Ph.D.
Deputy Assistant Administrator for Fisheries

SUBJECT: Directed Reassignment

This memorandum clarifies the National Marine Fisheries Service policy and procedures regarding directed reassignments.

I. Directed Reassignment Definition:

A directed reassignment is the movement of an employee from one position to a vacant position at the same grade and rate of pay. The position may be in the same or different commuting area.

II. Directed Reassignment Policy:

NMFS management may, at its discretion, direct a reassignment of an employee. Directed reassignments between regions/centers/offices are subject to the concurrence from the Regional Administrator/Center Director/Office Director from the originating office and the receiving office unless directed by the Assistant Administrator's office.

Directed reassignments may be ordered for the following reasons:

1. Program needs or emergency situations for other than a short-term need (i.e., 1-6 months). An emergency situation is determined by the Assistant Administrator on a case by case basis.

2. NMFS reorganization or transfer of function(s).

An employee who is reassigned will retain the same employment status as that held at the time of reassignment (i.e., permanent or probationary status).

III. Directed Reassignment Procedure:

When NMFS management determines that a directed reassignment of an employee is necessary, NMFS management will use the following procedures:

1. NMFS management will identify vacancies to which the reassignment(s) will occur;

2. NMFS management will then identify, within the group of position(s), the employee(s) who is best suited to fill the vacant (approved FTE) position. In determining who is best suited, NMFS management will consider factors such as:

   a. Whether employee(s) meet the minimum qualifications standards of the position, as outlined in the qualification standard;

   b. Qualifications needed for employee(s) to adequately perform in the position(s); and

   c. Developing a balance of experienced and trained employees, and obtaining the most effective distribution of needed knowledge and skills.

3. If more than one employee is qualified for reassignment, NMFS management will then canvass these employees to determine if anyone wishes to voluntarily be reassigned. If so, that employee will be reassigned. If more than one employee volunteers, NMFS management will make the selection in a fair and equitable manner employing factors as described under section 2 above.

4. If there are no volunteers, NMFS management will select an employee who best meets the needs of the position based upon the factors above.

Employees are given 30 calendar days from the date of the official written notification to accept or decline a directed reassignment.

Employees who accept a directed reassignment outside the commuting area are reimbursed for relocation expenses.

If necessary, Permanent Change of Station (PCS) costs will be handled by the respective offices.

If an employee declines a directed reassignment, his/her removal from the Federal Service may be proposed for refusing to accept a directed reassignment. Such employees have a right to respond to the proposed removal action, to be represented by an attorney or other representative, to review the material relied on to support the proposed action, to use official time, and to receive a written decision.

An employee who is involuntarily separated from the Service, or who resigns in lieu of involuntarily separation on/or after receipt of a memorandum, may be eligible for discontinued service retirement. Additional information concerning eligibility requirements for discontinued service retirement may be obtained by contacting the appropriate servicing Human Resources Office.

An employee who is involuntarily separated, and who is not eligible to retire, may be eligible for severance pay. In addition, the Department of Commerce offers placement assistance through the Career Transition Assistance Program. Information concerning eligibility for severance pay and placement assistance may be obtained from the appropriate servicing Human Resources Office.

Employees have the right to grieve the directed reassignment. They also have appeal rights to the Merit System Protection Board if removed. However, employees do not have Reduction-in-Force retention rights within the local commuting area as a result of a directed reassignment.

A request for directed reassignment must be coordinated with the appropriate Human Resources Offices, and submitted to the Director, Operations, Management and Information in writing, with appropriate justification for review and to initiate the directed reassignment.

Questions regarding this policy should be directed to Lois Gajdys, Director, Office of Operations, Management and Information.

cc: John Hanson
Administrative Support Centers
Union Representatives